



THE CITY OF WHITTIER

Gateway to Western Prince William Sound

P.O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

PORT & HARBOR COMMISSION SPECIAL MEETING

Tuesday, February 19, 2013

P-12 City Council Chambers

5:30 pm

MINUTES

CALL TO ORDER

Marilynn Heddell called the meeting to order at 5:33 pm.

OPENING CEREMONY

Marilynn Heddell led the Pledge of Allegiance.

ROLL CALL

Ed Hedges	Seat A	P
Marilynn Heddell	Seat B	P
Brad Von Wichman	Seat C	A
Jerry Protzman	Seat D	A
RC Collin	Seat E	A
Larry Bussman	Seat F	P
Charlie Eldridge	Seat G	P

MOTION: Larry Bussman made a motion to excuse Brad VonWichman and Jerry Protzman from today's meeting.

SECOND: Charlie Eldridge seconded the motion.

VOTE: Motion passed unanimously

Ed Hedges Q Marilynn Heddell Y Brad VonWichman Q Jerry Proztman Q RC Collin Q Larry Bussman Y Charlie Eldridge Y

MOTION: Larry Bussman made a motion to record RC Collin's absence from today's meeting as unexcused.

SECOND: Charlie Eldridge seconded the motion.

VOTE: Motion passed unanimously

Ed Hedges Q Marilynn Heddell Y Brad VonWichman Q Jerry Proztman Q RC Collin Q Larry Bussman Y Charlie Eldridge Y

ADMINISTRATION PRESENT

Robert Prunella- City Manager
Sue Miller- Harbormaster
Jennifer Rogers- Commission Clerk

PUBLIC CITIZENS PRESENT

Pete Heddell
David Goldstein

APPROVAL OF AGENDA

MOTION: Charlie Eldridge made a motion to approve the Special Meeting Agenda of February 19, 2013.

SECOND: Larry Bussman seconded the motion.

VOTE: The vote passed by unanimous decision.

Ed Hedges Y Marilyn Heddell Y Brad VonWichman O Jerry Proztman O RC Collin O Larry Bussman Y Charlie Eldridge Y

DISCUSSION

None

APPROVAL OF MINUTES

MOTION: Larry Bussman made a motion to approve the Port & Harbor Special Meeting Minutes of October 16, 2012 as written.

SECOND: Charlie Eldridge seconded the motion.

VOTE: The vote passed by unanimous decision.

Ed Hedges Y Marilyn Heddell Y Brad VonWichman O Gerald Proztman O RC Collin O Larry Bussman Y Charlie Eldridge Y

ADMINISTRATIVE REPORTS

A. Harbormaster Report

Sue Miller disclosed that the pilling replacement project has been completed. There is a scheduled inspection by the granting agency of the Homeland Security on February 25th. She will hand over all the closing documents at that time and will process the payment based on approval by the City manager. The gangway was recovered on January 10th. They are still assessing the damage and hopefully will be able to repair it over the next few months. The next project will be removing the passenger dock for assessment and figure out how they will repair that. Marilyn asked if Sue planed on getting the passenger dock repaired by summer. Sue replied that yes, she will try.

The Corp. of Engineers will arrive in Whittier on February 20th for a Navigation Planning Meeting. She also stated that several of them will follow up at JBER on the 21st. They've drafted violation citations and envelopes and sent them to a professional printer for printing for a more professional look.

She mentioned that she and Brad Swearingen traveled to attend a one day SERVS meeting. Sue then went on to say that the 2013 Harbor Projects and Harbor Wish List was developed by David Pinquoch and a couple of other people and was given to the City manager. Sue added a couple of things to the list. She believes that the purpose of the list was to focus on where to use the grant money. The list also gives a status as to where the harbor is at with projects.

Marilynn asked Sue how many people she is planning on hiring for the summer. Sue responded by saying that she'd like to hire one and a half in the office and one and a half in the parking lot; one person will overlap between the office and outside. She said that what they had last year worked really well and will probably do the same.

B. City Manager Report

Bob said that they haven't prioritized the 2013 Harbor Project List. Bob said that with the City Council's approval, he was able to withhold \$100,000 from the investment fund. He also located \$47,500 in grants that will expire. There's not enough money to do all that they'd like to do, but we can do little projects. Michael Lushkin, who works for the State of Alaska, will be here tomorrow for the head of the bay meeting and if there is time, will take him to the dock so that he can see it. Our Washington D.C. lobbyist, Brad Gilman, is working with congressmen to re-write a bill that will allow more harbor money to come to Hawaii and Alaska.

The City has settled with Harris Sand & Gravel for \$8,400; Harris Sand & Gravel had originally sought \$800,000. Phase I is officially completed. Bob said that the passenger dock will have to come out in sections to be evaluated. Next, he stated that he would like to take some of the floats out and take a look at them as well. Lastly, he commented that the harbor isn't in the greatest shape.

NEW BUSINESS

A. Title 12

Tabled

B. Chapter 2

Marilynn commented that there isn't anything to change at this point.

OLD BUSINESS

a. Update on Smitty's Cove

Bob stated that the P&Z is currently working on this. A survey is needed before it can be zoned classified; Scott Korbe is working on this.

b. Condition of Lu Young Park

Tabled

CITIZENS COMMENTS

David Goldstein expressed his desire for the harbor to purchase a pump out facility for the harbor. He had a couple of incidents last summer regarding the harbor pump out system which was awkward, inefficient, and it didn't work on certain days. He would use the new pump out facility if it were accessible and something he could use every day.

The second topic Dave Goldstein brought up had to do with Title 12. He stated that it requires a boat to be moved three times within a year. He reminded the P&Z members that there are specific instructions on what should be done when those rules aren't followed. There was much discussion regarding this topic. Sue responded that there is no way for the harbor staff to know whether or not a boat has been moved, especially if the boat is moved after business hours. There was much discussion regarding this topic.

The third subject Dave brought up dealt with liability with the City of Whittier in regards to damage. He says that the way the sentence is written, there is a sentence which absolves the City from any damage to a vessel. If the city causes damage, He stated that he would think that the City would be liable. The next part states that any person who causes damages shall be responsible for the cost of repair or replacement. He said that he Sue Miller stated that she has taken this matter to the attorney before and she will take it again.

Bob stepped in to say that the harbor carries liability insurance. Dave Goldstein went on to quote Chapter 12.02.130. Bob said that it was out of context, but that it needs to be clarified. Marilynn agreed with Bob. Going back to boats having to be moved three times per year, Marilynn stated that they have talked about that subject once or twice in the past. She asked if they agreed that they did decide that the boat did need to change from three times because people would have to move their boat in the winter? She didn't think they would make people move their boat in the winter. Dave reiterated that it didn't matter when they moved their boat, just as long as they moved it three times during the year. Sue said that they have had a problem enforcing this since they don't have a way of monitoring whether or not the boat has moved. There was much discussion regarding this topic.

Charlie Eldridge asked if the city is leasing the ramp from the rail road. Bob replied that they have a permit. The city is leasing the land from the rail road, yet the rail road has a permit. Marilynn went back to the subject of moving a boat three times per year, she stated that there should be a way that it can be tracked, especially if the boat is moved during the night. A few scenarios of the situation were discussed.

Marilynn stated that they've gotten rid of most boats that have not moved, we still have a pretty good system in place. Addressing the issue of the pump out system, Marilynn asked if it would be a problem for the Denali Commission to provide a pump out station for the harbor. Sue stated that they have the infrastructure, plumbing and a spot for it.

Pete Heddell said that technically, the Coast Guard regulations, states that the Y Bar needs to be kept in code. Pete went on in detail as to why, according to regulations, it is not possible to have a pump out system. He added that we don't even have the space to have the pump out system. There were more discussions regarding this from Dave Goldstein. Sue stated that she will look into this.

COMMISSION COMMENTS

Charlie questioned how old is the crane on the city dock. Sue replied that she would have to look at the paperwork before she can give him an answer. She added that she was looking into the cost of a new one. The current crane that the harbor has cannot handle more than a thousand pounds. They usually have to ask the fishermen whether or not their totes will be more than a thousand pounds, which limits their off-loading. Sue welcomed any suggestions. There were no suggestions. Marilyn asked the Harbormaster if she can keep the members informed when something is completed on the Harbor Wish List and Sue replied that yes, it is possible.

NEXT MEETING AGENDA ITEMS

- A. Harbormaster's Findings on Title 12**
- B. Update on Smitty's Cove**
- C. Condition of Lu Young Park**
- D. R.C. Collin's Attendance**

NEXT MEETING ATTENDANCE PLANS

MOTION: Larry Busman made a motion to hold a Special Meeting on Tuesday, March 19, 2013 at 5:30 pm.

SECOND: Ed Hedges seconded the motion.

VOTE: The vote passed unanimously

Ed Hedges Y Marilyn Heddell Y Brad VonWichman O Gerald Proztman O RC Collin O Larry Bussman Y Charlie Eldridge Y

ADJOURNMENT

MOTION: Larry Bussman made a motion to adjourn the meeting.

SECOND: Charlie Eldridge seconded the motion.

VOTE: The vote passed unanimously

Ed Hedges Y Marilyn Heddell Y Brad VonWichman O Gerald Proztman O RC Collin O Larry Bussman Y Charlie Eldridge Y

Meeting adjourned at 6:20pm

Attest:

Jennifer Rogers
Commission Clerk

Marilynn Heddell
Port & Harbor Commission Chairperson